

## **DISTRICT ADVISORY BOARD (DAB) I**

### **MEETING MINUTES**

**Monday, May 3, 2004**

**7:00 p.m.**

**Atwater Community Center, 2755 E. 19<sup>th</sup>, Wichita, Kansas 67214**

#### **Members Present**

Vice Mayor Carl Brewer  
Rickie Coleman\*  
Gerald Domitrovic  
Treatha Brown-Foster  
Lacey Ganther\*  
Lori Lawrence  
Debra K. Miller  
Debby Moore  
Sharon Myers\*  
Steve Roberts\*  
James Thompson

#### **Members Absent**

Lois Tully-Gerber  
Celina Porter Robinson  
Ken Woodard

#### **Guests**

Deb Burch  
Jessica Burch  
Dr. Glen Dey, 4515 Greenbriar  
Marsha Mendenhall, 2902 Sennett  
Joe Schultz, 2921 E. Lincoln

#### **\*Alternates**

#### **City of Wichita Staff Present**

Kelli Glassman, Office of the City Manager  
Deputy Chief Tom Stolz, Police

### **Order of Business**

#### **Call to Order**

**Vice Mayor Brewer** called the meeting to order at 7:06 p.m. He welcomed guests and asked DAB I members to introduce themselves. **Vice Mayor Brewer** also recognized representatives of District I neighborhood associations.

#### **Approval of Minutes**

**Moore (Thompson)** made a motion to approve the April 5, 2004 DAB I meeting minutes as submitted. Motion carried (6-0).

#### **Approval of Agenda**

**Miller (Lawrence)** made a motion to approve the May 3, 2004 DAB I meeting agenda as submitted. Motion carried (6-0).

### **Public Agenda**

#### **Scheduled Items**

##### **1. District 1 Award**

The District I Award honors exemplary citizens in the District 1 community. **Vice Mayor Brewer** and DAB I presented the first of these awards to Dr. Glen Dey. **Vice Mayor Brewer** acknowledged Dr. Dey, stating that he is a very passionate individual who is very involved in the community.

**Dr. Dey** addressed the group and stated that he appreciated recognition for his extensive involvement in the community. He expressed his thanks to DAB I, Vice Mayor Brewer and the Northeast Heights Neighborhood Association and spoke about the nation's future water supply and teaching citizens to be responsible for the well-being of the City of Wichita so the City reaches its full potential.

**Action: Present the award to Dr. Dey.**

**2. 2004 Clean Indoor Air Brief**

A representative from Tobacco Free Wichita, **Jessica Burch**, presented a briefing on clean indoor air and the need for a clean air ordinance for all public establishments in Wichita. **Ms. Burch** stated that this act is important because the City of Wichita already has an ordinance, which bans smoking in civic buildings and workplaces, but not restaurants and bars. She further stated that Tobacco Free Wichita is getting endorsements from other organization in this effort and has seen a dramatic increase in the organization's diverse membership. **Ms. Burch** informed the group that a Clean Indoor Air Ordinance is necessary to protect all citizens from the harmful effects of second-hand smoke including cancer, heart attacks, decreased lung capacity, etc. Similar ordinances have already been adopted in Salina, Lyons and El Paso, Texas. **Ms. Burch** is requesting support of this ordinance when it comes before the DAB I, as there has been a positive response from the community for this resolution.

*(Ms. Burch's responses are in italics)*

**Lawrence** reminded everyone that those who attended the last District I breakfast had an opportunity to sign the petition in support of this issue. She added that she would like to return home after dining in a designated non-smoking area of a restaurant and not smell like smoke. *There is no difference in receiving the negative impacts of second-hand smoke while sitting in a non-smoking section or a smoking section of a restaurant. Some claim that special ventilation systems can be installed in a restaurant to remove second-hand smoke in non-smoking sections, but this has not proved to be effective. Ms. Burch distributed pamphlets, which list smoke-free restaurants in Wichita*

**Thompson** asked if this ordinance would be limited to restaurants and bars? *If there is enough public support for this measure, the ordinance could cover more types of establishments than those already identified.*

**Myers** asked how long Tobacco Free Wichita has been in existence? *Tobacco Free Wichita has been in existence for about 20 years, although it was previously known as Interagency Coalition on Smoking.*

**Action: Receive and file.**

**Off-agenda items**

**3. Schweiter Park Tennis Court Repairs**

**Vice Mayor Brewer (Lawrence)** made a motion to return to the public agenda to address Schweiter Park tennis court repairs at the request of **Mr. Joe Schultz**, 2921 E. Lincoln, Schweiter Neighborhood Association Treasurer.

**Mr. Schultz** stated that five years ago, area residents voiced concern to the Parks and Recreation Board about the condition of the Schweiter Park tennis courts on the southeast corner of Lincoln and Hillside. Upon hearing these concerns, the Parks and Recreation Board agreed to repair the tennis courts and announced plans to add a gazebo to the Schweiter Park landscape. However, **Mr. Schultz** received a letter from Doug Kupper, Parks and Recreation Director, on April 21, 2004 stating that the tennis courts will now be removed because there is not enough public use of these courts to warrant the expense of these repairs. **Mr. Schultz** commented that he does not understand why there is money to fix equipment in other parks in the City but not the tennis courts in Schweiter Park and that the total cost to repair the tennis courts has never been disclosed by Staff.

**Mr. Schultz** said that the residents in the area have offered to pay for the repairs themselves, but have still not been able to do this due to jurisdictional issues.

According to **Mr. Schultz**, the tennis court lights provide security and would generate even more use if repaired. A tornado destroyed the baseball field backstop, which was not replaced, and with the removal of the tennis courts, there is concern that the entire park will eventually be eliminated. New swing set equipment has been placed in the park, but it is in a sandy area that retains a lot of water, making it difficult for kids to enjoy when it rains. **Mr. Schultz** said that he has foster children that he enjoys playing tennis with in Schweiter Park and until he received the letter from Mr. Kupper, local residents had no indication that the tennis courts would be removed. In order to address this issue, **Mr. Schultz** has sent an e-mail to Mayor Mayans and wrote an editorial to the Wichita Eagle.

**Vice Mayor Brewer** asked to see a copy of the e-mail sent to Mayor Mayans and suggested that next time **Mr. Schultz** e-mail the entire council an issue or concern. He further responded that he has not heard of plans to remove the Schweiter Park tennis courts and assured **Mr. Schultz** that park space is very important to the District I Park and Recreation Board representative, Dr. Dey. There are very strict guidelines regarding preservation of park space and Dr. Dey will make sure that these guidelines are upheld.

*(Reponses are in italics)*

**Domitrovic** asked the following questions: 1.) Are the tennis courts cheaper to repair than remove? *Mr. Schultz replied that he is not sure which is cheaper since he has not seen estimates for the cost to repair the tennis courts. However, the City has spent money-repairing equipment at smaller parks.* 2.) Where are the nearest tennis courts located? *Mr. Schultz replied that the closest tennis courts are located at Oliver and Harry. Marsha Mendenhall stated that these tennis courts have been recently repaired.*

Several DAB members questioned the funding mechanisms for this project, citing other instances where residents have helped to finance recreational projects similar to this.

**Action: 1.) Domitrovic (Ganther) made a motion that DAB I review the Park and Recreation Board's plan for the tennis courts in Schweiter Park and obtain repair estimates for the Schweiter Park tennis courts at the next meeting. Motion carried (6-0). 2.) Vice Mayor Brewer requested that Staff inform him of the status of this project and set-up a meeting to discuss this issue with Mr. Kupper.**

### **Staff Reports**

#### **4. Police Report**

**There was no police report given at this time.**

#### **5. Funeral Escort Processions**

**Deputy Chief Tom Stolz, Wichita Police Department**, presented the proposed ordinance amendments to create Chapter 11.37 City Code pertaining to traffic regulations for funeral processions. Both escort vehicles and procession vehicles are included in the regulations. The ordinance amendments would repeal Section 11.38.130 and 11.38.140 of the City Code. **Deputy Chief Stolz** stated that these amendments were created as a result of numerous complaints received by the Police Department concerning reckless driving of funeral procession escort vehicles. Staff has received input from all key stakeholders concerning this ordinance. These stakeholders do not like that the ordinance

will require three escort vehicles for a funeral procession, but understand it is necessary for safety reasons.

*(Deputy Chief Stolz's responses are in italics)*

**Thompson** asked if the \$100 licensing fee is per funeral escort vehicle or per company? *The \$100 license fee is a one time fee assessed to each funeral escort company, not each escort company vehicle.*

**Domitrovic** asked the following questions: 1.) Is there is a specific defensive driving class that funeral escorts will have to attend? *No, any defensive driving class will be acceptable.* 2.) What will constitute the police asserting their right to inspect a funeral escort vehicle? *When the Police Department receives a citizen complaint on a funeral escort vehicle.* 3.) How will Police monitor the requirement that operating funeral escorts not have more than three violations of this City Code in a calendar year? *When the Police Department receives a citizen complaint on a funeral escort vehicle, there will be a background check of all previous traffic violations.*

**Moore** remarked that she recently saw a three-car funeral procession escort and it was impressive.

**Action: Moore (Coleman) made a motion to advise City Council to approve the proposed ordinance. Motion carried (6-0).**

**6. Funeral Escort Licensing**

**Deputy Chief Tom Stolz, Wichita Police Department,** reviewed an ordinance creating a new Chapter 3.74 of City Code pertaining to licensing of funeral escort services. The ordinance would repeal the original Chapter 3.74 of the City Code.

*(Deputy Chief Stolz's responses are in italics)*

**Domitrovic** asked the following questions: 1.) How many cars are required for a funeral procession under the current ordinance? *There are no requirements for this under the current ordinance.* 2.) What alternatives do individuals have if they wish not to have a funeral procession escort for their funeral services? *All individuals present can proceed to the burial site without escort.* 3.) Do most funeral homes subcontract for funeral procession escort services? *All funeral homes subcontract for funeral escort services.*

**Brown-Foster** asked if the police would stop a funeral escort vehicle in the middle of a funeral procession. *A police officer will usually wait to stop a funeral escort vehicle until the funeral procession is over, out of respect and safety.*

**Action: Moore (Thompson) made a motion to approve of proposal for new Chapter 3.74 of City Code as presented. Motion carried (6-0).**

**Unfinished Business**

**No items were submitted.**

## **New Business**

**No items were submitted.**

## **Board Agenda**

### **7. Updates, Issues, and Reports**

- a. **Debby Moore** informed the group that the neighborhood city halls and Project Access would receive a total of \$114,000 in CDBG funds. Project Access is a program, which provides healthcare to low-income individuals. A meeting to discuss this issue will be held Wednesday, May 12, at 3:30 p.m. at Colvin Neighborhood City Hall.
- b. Some business owners in the district who use Bank of America are changing banks because Bank of the America is charging a \$5 fee to cash payroll checks for individuals who do not bank there. **Treatha Brown-Foster** stated that she would look into this matter because she doesn't believe that Bank of America can legally assess a non-member check cashing charge.
- c. **Vice Mayor Brewer** reminded everyone of the following:
  - i. The next District 1 Coalition Breakfast will be on Saturday, June 5, 2004, from 8:00 a.m. to 10:00 a.m. at Cisro's Restaurant. District I Coalition Breakfasts are held the first Saturday of each month and everyone is encouraged to attend in order to become informed of District I events and issues.
  - ii. The next DAB 1 meeting is Monday, June 7, 2004 at 7:00 p.m. at Atwater Neighborhood City Hall.
  - iii. Applications for appointment/reappointment to DAB I are currently being accepted. If you are interested, please fill out an application and return it to Virdena Gilkey, Neighborhood Assistant, by the end of May. There are two slots reserved for interested high school students. A retreat will be held for selected applicants to discuss member responsibilities and expectations.

**Action: Receive and file.**

With no further business, **Thompson (Moore)** made a motion to adjourn the meeting at 8:37 p.m. Motion carried 6-0.

Respectfully Submitted,

Kelli Glassman  
Management Intern  
Office of the City Manager